

Message Text

CONFIDENTIAL

PAGE 01 THE HA 00151 141052Z

12

ACTION L-02

INFO OCT-01 AF-06 EUR-12 NEA-09 IO-10 ISO-00 CIAE-00

DODE-00 PM-03 H-01 INR-07 NSAE-00 NSC-05 PA-01 RSC-01

PRS-01 SP-02 SS-15 USIA-06 /082 W

----- 020438

R 140940Z JAN 75

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 4990

INFO AMEMBASSY ALGIERS

AMEMBASSY MADRID

AMEMBASSY NOUAKCHOTT

AMEMBASSY RABAT

USMISSION USUN NEW YORK

C O N F I D E N T I A L THE HAGUE 0151

E.O. 11652: GDS

TAGS: ICJ, UNGA, PFOR, PBOR, PORG, MOD, SS, SP

SUBJECT: ICJ TO GIVE ADVISORY OPINION ON SPANISH

SAHARA

REF: A. THE HAGUE 0123

B. RABAT 0170

1. EMBOFF DISCUSSED PROCEDURES TO BE FOLLOWED BY ICJ IN SPANISH SAHARA CASE WITH TAIT, DEPUTY REGISTRAR OF COURT, JANUARY 13. SPEAKING ON PERSONAL BASIS, TAIT PROVIDED FOLLOWING INFORMATION WHICH MAY BE OF SOME INTEREST TO ADDRESSEES.

2. REQUEST FOR ADVISORY OPINION IN SPANISH SAHARA CASE IS 16TH WHICH ICJ HAS RECEIVED OVER THE YEARS. ELEVEN REQUESTS PRIOR TO PRESENT ONE CAME FROM UNGA. ICJ COULD, ALTHOUGH IT NEVER HAS, REFUSE REQUEST FOR ADVISORY OPINION IF COURT DECIDED REQUEST WAS FRAMED IN SUCH A WAY AS TO MAKE IT IMPOSSIBLE TO COMPLY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 THE HA 00151 141052Z

3. SINCE COURT HAS NOTHING ELSE ON ITS DOCKET

(JUDGMENT ON NUCLEAR TESTS CASES GIVEN IN DECEMBER)
TAIT EXPECTS WORK ON SAHARA CASE TO ROCEED EXPEDITIOUSLY.
SHORTLY AFTER MARCH 27 DEADLINE FOR ACCEPTING WRITTEN
STATEMENTS, HE SAID IT WAS PROBABLE THAT COURT WOULD
SET DATE FOR ORAL STATEMENTS. COURT LIKELY TO WRITE
ITS OPINION DURING SUMMER SO AS TO HAVE IT READY FOR
NEXT GENERAL ASSEMBLY.

4. ASKED IF COURT'S STATUTE PROVIDED FOR APPOINTMENT
OF AD HOC JUDGES IN ADVISORY OPINION CASES AS IT DOES
IN CASES BETWEEN STATES, TAIT SAID THAT IT WAS NOT
EXCLUDED. (COURT'S STATUTE PROVIDES THAT IF A JUDGE
OF THE NATIONALITY OF ONE OF THE CONTENDING STATES IS
ON THE BENCH, OTHER STATE MAY CHOOSE A PERSON TO SIT
AS JUDGE, OR IF NEITHER STATE IS REPRESENTED BOTH MAY
APPOINT AD HOC JUDGES.) HE POINTED OUT THAT SPAIN, IN
PERSON OF JUDGE DE CASTRO, HAS JUDGE ON COURT NOW.
HE SAID THAT HE HAS NO INFORMATION TO INDICATE THAT
ANY OF AFRICAN STATES PARTY TO CURRENT QUESTION PLANS
NOMINATE JUDGE TO PARTICIPATE. TAIT REITERATED THAT
HE WAS SPEAKING UNOFFICIALLY AND ON STRICTLY PERSONAL
BASIS.
GOULD

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PERSONAL OPINION, FOREIGN POLICY POSITION, TERRITORIAL CLAIMS
Control Number: n/a
Copy: SINGLE
Draft Date: 14 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975THEHA00151
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750013-1028
From: THE HAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750152/aaaabtpj.tel
Line Count: 84
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 THE HAGUE 0123
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 09 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 JUN 2003 by KelleyW0>; APPROVED <09 JUN 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICJ TO GIVE ADVISORY OPINION ON SPANISH SAHARA
TAGS: PFOR, PBOR, PORG, SS, SP, ICJ, UNGA, (TAIT)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006